

DIRECTIVE

WELFARE-TO-WORK

Number: WD01-2

Date: May 21, 2001
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TO: WELFARE-TO-WORK COMMUNITY

SUBJECT: WtW LOCAL PLAN ADJUSTMENT/MODIFICATION—85 PERCENT
FORMULA GRANTS

EXECUTIVE SUMMARY:

Purpose:

This directive transmits instructions for adjusting local Welfare-to-Work (WtW) 85 Percent Formula Local Plans to extend up to five years all WtW grants from the date of grant award, as allowed by the Department of Labor (DOL) Appropriations Act, 2001. It also provides instructions for updating other related items included in these plans.

Scope:

This directive contains instructions for making necessary changes to local WtW plans to reflect an extended period of performance and other revisions and additions required by the implementation of the WtW and Child Support Amendments of 1999 (The 1999 Amendments), and the implementation of the Workforce Investment Act (WIA). This results in a combined WtW Extension Request and Local Plan adjustment/modification process. In addition, Local Boards may use this Local Plan adjustment/modification to reflect other significant changes to their local WtW plans. Submission of a Local Plan adjustment/modification containing the minimum elements is required for any WtW 85 Percent funded activities occurring after January 1, 2001.

Effective Date:

The instructions contained in this directive are effective immediately.

REFERENCES:

- Temporary Assistance for Needy Families (TANF) Amendment (Section 5001 of the Balanced Budget Act of 1997, Public Law [PL] 105-33), 42 United States Code (USC) Section 603(a)
- The WtW and Child Support Amendments of 1999 (1999 Amendments) (introduced as Title VIII of HR 3424 and enacted as part of the Consolidated Appropriations Act for Fiscal Year (FY) 2000 (PL 106-113))

- Department of Labor Appropriations Act, 2001 (PL 106-554)
- The WtW Regulations, 20 Code of Federal Regulations Part 645, Final/Interim
Final Rule published at 66 Federal Regulations 2690 (January 11, 2001), effective date April 13, 2001
- The WtW Training and Employment Guidance Letter (TEGL) 15-00, published March 8, 2001, for requesting an Extension and Related Revisions to WtW Formula and Competitive Grants and WtW Formula State Plans

STATE-IMPOSED REQUIREMENTS:

This directive contains no State-imposed requirements.

FILING INSTRUCTIONS:

This directive supersedes WtW Directive WD99-4, dated April 15, 1999, and finalizes WtW Draft Directive WDD-16, issued for comment on April 27, 2001. Retain this directive until further notice.

BACKGROUND:

In November 1999, the 1999 Amendments to the WtW Grant program were passed. These Amendments provided various changes to the WtW Program including removal of the requirement that long-term TANF recipients have additional barriers to employment in order to be eligible for WtW program services.

On December 21, 2000, the President signed into law the Department of Labor Appropriations Act, 2001, which provides authority for FY 98 and FY 99 State WtW formula grants to extend their grant periods by up to two years from the current date of expiration to a maximum period of performance of five years. Such an extension of the grant period also allows additional time for the expenditure and reconciliation of the State WtW match requirement. For California, this means that the State's FY 98 WtW Grant may be extended through June 29, 2003, and its FY 99 WtW Grant extended through July 15, 2004.

On March 8, 2001, DOL issued TEGL No. 15-00 which provided instructions on how states can apply for a time extension and address related issues. On March 14, 2001, California requested an extension of both of its FY 98 and FY 99 WtW grants, for the maximum allowable time. Contingent on approval of the State's request, Local Workforce Investment Area's (Local Areas) WtW Formula Grants may be extended for up to 24 months if the Local Area wishes to have additional time to complete its grant activities. Local Areas may submit a Local Plan adjustment/modification to extend their FY 98 grant, their FY 99 grant, or both.

INFORMATION REQUIRED FOR A GRANT EXTENSION

Local Areas may request a grant extension at any time. However, the request must be submitted no later than 60 days before the current expiration date of the grant. Those

Local Areas that do not wish to extend their formula grants must still adjust their Local Plans as directed below. This Local Plan adjustment/modification request must be submitted by May 11, 2001.

Local Plan adjustments/modifications which include a request for time extension must reflect the proposed usage of the requested time extension. Requests for time extensions must incorporate a new grant termination date, which cannot exceed the expected new State WtW Grant termination dates of June 29, 2003 (FY 98 funds) and July 15, 2004 (FY 99 funds).

POLICY AND PROCEDURES:

Local Plan Adjustment and Coordination Requirements:

Local Boards have broad discretion in how federal formula WtW Grant Program funds are expended within their Local Areas, but they must coordinate the expenditure of these funds with California Work Opportunity and Responsibility to Kids Act (CalWORKs) expenditures. It is imperative that the Local Plans are adjusted jointly between the Local Board and the County Welfare Department (CWD).

The Local Plans must demonstrate that the local WtW Grant Program complies with State and federal requirements. This includes a demonstration of efforts to coordinate and consult with local partners, including but not limited to, CWDs' WIA programs, educational institutions which administer the Child Care Development Block Grant, housing agencies, transportation agencies, county alcohol and drug representatives, Employment Development Department Job Service and local Labor Market Information representatives, faith-based organizations, community colleges, One-Stop Career Centers, and community-based organizations. Efforts to engage the business community, foundations, and other organizations should be described as well.

The DOL issued the Final Rule; Interim Final Rule for the WtW Grant Program (Title 20 CFR Part 645) on January 11, 2001. Included in the adjustment instructions, which follow, are citations from the Final Rule; Interim Final Rule. In order to successfully develop and complete its Local Plan adjustment/modification, Local Boards should refer to the Final Rule; Interim Final Rule for WtW Grants, the TANF amendment (Section 5001 WtW Grants) in PL 105-33 (42 USC Section 603(a), WtW and Child Support Amendments of 1999, and the DOL TEGL No. 15-00.

Local Plan Adjustment/Modification Requirements:

This Local Plan adjustment/modification incorporates the WtW Grants Final Rule; Interim Final Rule, and the WtW and Child Support Amendments of 1999. This results in a combined WtW Extension Request and Local Plan adjustment/modification.

The instructions contained in the attachment closely follow the original WtW Local Plan adjustment/modification outline issued under WtW Directive WD99-4. Accordingly, the numbering for the Local Plan elements referenced below remain the same. Elements of the Local Plan are not required to be resubmitted unless changes have occurred that result in a significant change in program design.

The requirements for Local Plan adjustment/modification include:

- Cover Page
- Table of Contents
- Signature Pages
- Part I—Section A Administrative and Fiscally Responsible Entity
- Part II—Section A (1) Eligible Populations
- Part II—Section A (2) Targeting Strategy Coordination with CWD
- Part II—Section B (2) Additional Characteristics Coordination with CWD
- Part II—Section C (2) Coordination for Assessment and Case Management
- Part III—Section A (2) Additional Planned Activities
- Part V—Section A (1) Planned Performance Goals
- Part VII—Section A (1) Expenditure Plans
- Part VII—Section B (1) Quarterly Participant Plans

Local Plan adjustment/modifications must follow the provided format contained in the instructions and forms. A form has been provided for the plan Narrative Part II through Part VII. Submit only those sections either required above or which incorporate significant changes in program design.

Please note that completion of line items in Part VII related to “Fourth and Fifth Year Quarters” is required only through any quarter included in a time extension being requested as part of this Local Plan adjustment/modification.

The Local Plan instructions and forms are available on the Internet in Microsoft Word 97. They may be accessed through the WtW Resource Information Center at <http://www.edd.ca.gov/wtowrico.htm> by selecting “Planning Documents.”

Local Plan Time Frames:

Local Plans cannot exceed the expected 24-month time extension for each allocation. Operational dates for FY 98 are through June 29, 2003, and for FY 99 through July 15, 2004. Therefore, for planning purposes, Local Areas must plan on expending all of their FY 98 funds by June 29, 2003, and their FY 99 funds by June 30, 2004.

Approval and Publication Requirements:

Local Plans must include the signature of the person(s) designated with authority to execute and sign WtW Plan adjustments/modifications. Additional approval and publication requirements can be added to the modification preparation process at the discretion of Local Boards.

In order to accommodate different local approval and publication requirements, the instructions and forms contain three forms for the required signatures: (1) standard signature page, (2) multiple Local Areas and single county, and (3) single Local Areas and multiple counties.

Other Plan Adjustments/Modifications:

Local Boards may request adjustment/modification of their WtW Grant Local Plan from the State at any time during the program. Local Plan adjustment/modifications must clearly identify the components being changed, the reasons for the changes, the expected outcomes of the changes, and must contain a signature page attesting to the authority of the person(s) executing and signing the Local Plan adjustment/modification.

Types of changes for which plan modifications would be required are:

- Reconsideration of which participants to target within the eligible population.
- Reconsideration of the allowable activities.
- New agreements between the Local Board and CWD regarding eligibility determination and/or assessment; and revised performance goals.

ACTION:

1. Prepare the Local Plan adjustment/modification in accordance with the attached instructions.
2. Submit four copies of the completed adjustment to the State by May 11, 2001. Original signatures must appear on at least two of the copies. Use one of the following methods:

Mail:	Jose Luis Marquez Employment Development Department Program Development and Management Division P.O. Box 826880, MIC 50 Sacramento, CA 94280-0001
Courier Service/Overnight Mail:	Jose Luis Marquez Employment Development Department Program Development and Management Division 800 Capitol Mall, MIC 50 Sacramento, CA 95814
Hand Deliver:	Jose Luis Marquez Employment Development Department Program Development and Management Division 722 Capitol Mall, Room W1077 Sacramento, CA 95814

INQUIRIES:

Please direct questions about developing your WtW Local Plan adjustment/modification to your 85 Percent Regional Manager.

/S/ JIM CURTIS
Chief

Attachment available in our Resource Information Center or by clicking on the link below:

[WtW Local Plan Adjustment/Modification Instructions and Forms \(MS Word\)](#)